EXCISE

2394

Talking Points For Conversation With Congressman Paul McCloskey
(R-California)

QUESTION:

Since the federal government has already expended 3 1/2 - 4 million dollars on the Jonestown operation, why not expend the additional funds necessary to fly the bodies to California by military aircraft?

ANSWER:

The State Department and the Bureau of Consular Affairs has no authority or funds to transport the bodies of United States citizens who die overseas back to the United States nor to dispose of the remains.

In this case:

1. The removal of the bodies from Guyana [redacted] This operation was considered essential in handling the emergency situation which existed in Guyana at the time. [redacted] Most of the expenditures incurred by the United States were at the request of the Government of Guyana in an attempt to alleviate the catastrophe and to promote economic and political stability there.

   The President, acting under his constitutional authority as Chief Executive and Commander-in-Chief of the Armed Forces, ordered the departments of our government to take action to deal with this emergency. The operational decisions within the United States Government in this unique situation were made by the Secretary of State in conjunction with some of his Cabinet colleagues.

2. However, the authority to use United States military aircraft ceased once the bodies were returned to the United States. There is no legal basis presently in existence authorizing commitment of United States funds and military aircraft for the purpose of transporting bodies to California at the request of the families.

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY [signature] DATE 3/2/81
PORTIONS DENIED AS INDICATED

3. The funding for the operation was authorized under the Contingency Fund of AID (Foreign assistance Act). This funding is considered to be economic/ emergency aid to the Government of Guyana.

4. The public reaction to the expenditure of funds for the Guyana operation has been largely negative. We believe that the general public would find unacceptable the expenditure of additional public funds to remove the bodies to California. It is a private family matter and the responsibility of the next of kin.

5. The request presents practical and moral questions. While there are a large number of next of kin who reside in California, by no means does California have a monopoly on the next of kin. Relatives of the deceased reside in <u>many</u> states. If we were to transport bodies to California it would seem only equitable that we do likewise for next of kin who request transportation of bodies to other states. This effort would require aircraft to fly bodies all over the United States - not just to California.

6. Moreover, 292 bodies have already been claimed by next of kin and transported at their expense for burial. These persons could conceivably request reimbursement for the money they have expended for transportation.

7. Respectfully, as I stated earlier, the bottom line is that there is no authority and no appropriated funds for assuming the financial responsibility of the families of these tragic victims.

QUESTION:

What efforts are being made to obtain funds from the People's Temple to pay for burial of the Jonestown deceased?

ANSWER:

1. The Department of Justice is exploring the possible legal remedies that can be used to recover the cost the United States Government has incurred in removing and processing the bodies of the United States citizens who died at Jonestown.

2. The Justice Department is presently attempting to identify PT assets and sequester and freeze these assets pending any court action against the PT.

3. A Petition of Dissolution of the People's Temple Corporation is presently pending before the California Superior Court. A hearing is scheduled for January 23, 1979.

4. [redacted]

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5. In any event, it will be sometime, probably months, before the results of these efforts are known. We cannot hold in abeyance our decisions regarding the disposition of the bodies pending the results of this litigation.

QUESTION:

What will you do with the bodies that are unclaimed?

ANSWER:

That is a problem. However, we are counting on the families making arrangements. There are other options such as cremation (cost about $215.00) or burial in an area near Delaware. Persons interested in these options could contact Jay A. Rini on 202-632-3712.

If Pressed:

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[redacted]